

## REMARKS

In response to the Office Action mailed June 21, 2011, Applicant hereby requests reconsideration of the rejections based upon the claim amendments and arguments submitted herewith. Claims 7-13 were last presented for examination, of which all were rejected or objected to, with the following issues being raised:

1. Claims 7-9 and 11-13 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 7,419,349 to Goodrich ("Goodrich") in view of U.S. Patent No. 4,966,516 to Vartanian ("Vartanian");
2. Claim 10 objected to as depending from a rejected base claim, but otherwise being directed toward allowable subject matter.

Applicant has not presently rewritten claim 10 in independent form, but reserves the right to do so to gain allowance of the subject matter that the Office Action indicates as distinguishing over the prior art of record.

### Obviousness Rejections

Claim 7 was rejected as obvious over Goodrich in view of Vartanian. A *prima facie* case of obviousness requires a determination that the claimed invention, as a whole and in view of the cited references, would have been obvious to one of ordinary skill in the art at the time it was made. MPEP 2142. Since the combination of Goodrich and Vartanian fail to teach or disclose all the features recited in claim 7, this combination does not establish a *prima facie* case of obviousness over claim 7.

Claim 7 recites a first and second rectangular frame with "the two frames being affixed to each other by a first hinge" and "wherein ***each*** of the first and second rectangular frames ***include ... a first fixed floor section*** disposed distal from the first hinge; ***and a moving floor***

**section".** By the plain language of claim 7, the first frame includes a fixed floor section and a moving floor section, and the second frame includes a fixed floor section and a moving floor section. However, as shown in Figs. 13 & 14, Goodrich discloses only a single fixed floor section (34) and a single movable floor section (36). The consequence is that Goodrich does not disclose a second frame which includes its own fixed floor section and its own movable floor section. Since Goodrich does not disclose a second frame, it also does not disclose "the two frames being affixed to each other by a first hinge".

In addition, claim 7 recites that each moving floor section "shifts into the withdrawn position due to gravity when the rectangular frames are moved into the folded position". In Figs. 8-14 and the accompanying description in column 7, line 29 column 8, line 26, Goodrich discloses that the moving floor section (36) is moved into the withdrawn position by action of the linkage (38) without the use of gravity to move the moving floor section (36).

In another distinction, claim 7 recites that the suspension cable operatively extends "from the cable brake, to the first and second rectangular frames near the first hinge, and then to each of the moving floor sections". However, as is clearly shown in Figs. 21A-C of Goodrich, the disclosed flexible connector (188) does not extend to the fixed plate, nor does it extend to the movable floor section (36). Rather, the flexible connector (188) extends between the actuator (186) and the pulleys (190, 192). (Column 11, line 60 – Column 12, line 3.) The flexible connector (188) does not connect to the fixed plate or to the movable floor section (36).

Turning to Vartanian, this reference fails to disclose any of the deficiencies noted in Goodrich above. For these reasons, the combination

of Goodrich in view of Vartanian does not establish a *prima facie* case of obviousness over claim 7.

Claims 8-9 and 11-13 were also rejected as obvious over Goodrich in view of Vartanian, and each ultimately depends from claim 7. Where the cited combination does not establish a *prima facie* case of obviousness over claim 7, it also does not establish a *prima facie* case of obviousness over any of these dependent claims.

## **Conclusion**

For the foregoing reasons, Applicant requests withdrawal of the rejections. Moreover, Applicant submits that the claims are in condition for allowance, and such is earnestly solicited.

A 2 month extension of time is hereby requested pursuant to 37 C.F.R. §1.136(a), for which the appropriate fee is submitted herewith. Applicant believes no additional extensions or fees are due with this response. However, if an additional extension is needed or a fee is due, please consider this a request therefor and charge Deposit Account No. 03-2775, under Order No. 21029-00312-US1, from which the undersigned is authorized to draw.

Dated: October 24, 2011

Respectfully submitted,

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